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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number A31-10947

Date Received 05-01-1990

Receipt Number X/11111

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) United States of America, USDA, ARS Phone (208) 374-5307

Mailing Address HC 62, Box 2010, USSES, Dubois, ID Zip 83423

2. Date of Priority (Only one (1) per claim) May 1, 1891

3. Source of water supply (a) Stream
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 14N Range 36E Section 27,
NE 1/4 of NW 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of Clark

Additional points of diversion if any: none

b. If instream flow, beginning point of claimed instream flow is:

Township 14N Range 36E Section 27, NE 1/4 of NW 1/4 of _____

Govt. Lot _____ B.M., County of Clark

ending point is: Township 14N Range 36E Section 28, NW 1/4 of SE 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Stream that runs through the ranch.

Livestock can drink at any area within the ranch boundaries.

A310947



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4/8

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Livestock purposes from 5/15 to 11/15 amount 0.28 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.28 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 500 - 600 cattle or up to 3000 sheep.

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
14N	36E	27		S			S	S											
		28	S			S									S	S			

Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? Clark

12. Do you own the property listed above as place of use? Yes x No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

Numerous springs and ground water or None ()

14. Remarks:

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Last Name _____ Ident No. _____

APR 20 1994
Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____
wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Research Leader _____
Title _____
of USDA, ARS, USSES, Dubois, Idaho _____, that I have signed the foregoing
Organization _____
document in the space below as Research Leader of USDA, ARS, USSES
Title _____ Organization _____
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Hudson A. Glimp

Title and Organization Research Leader, USDA, ARS, USSES Date 12-15-89

State of Idaho or)
County of Clark) SS.

Subscribed and sworn (or affirmed) before me this 15th day of December 1989

SEAL

Notary Public [Signature]

Residing at Dubois, ID

My Commission Expires 9-30-91

Please Print Name

17. Notice of Appearance:
Notice is hereby given that I, Peter Monson, Esq. will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____
Indian Resources Section, Land & Natural Resource Section, U.S. Dept. of Justice
Address P. O. Box 44378, Washington, D.C. 20026-4378

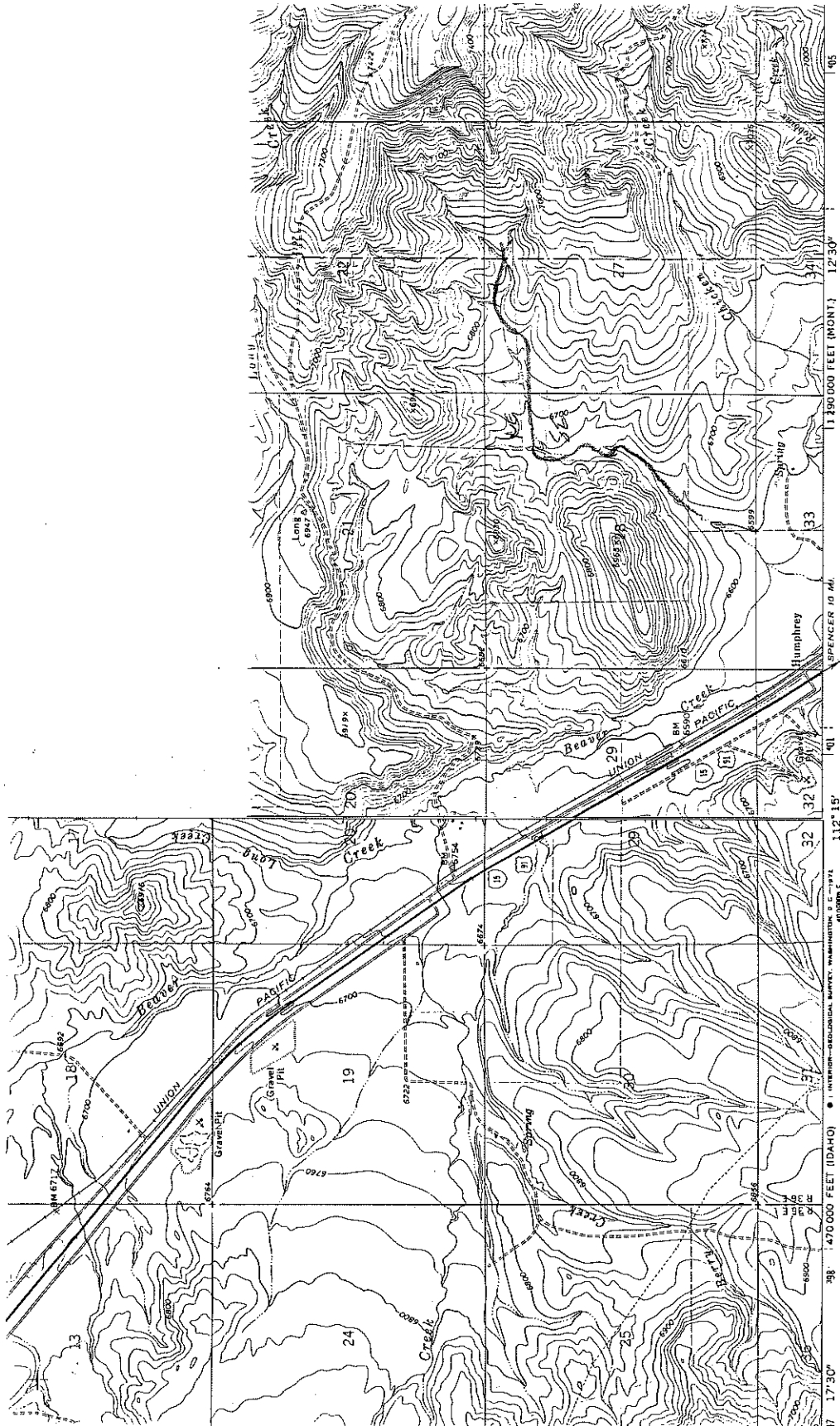
Date _____

Last Name _____ Ident. Number _____

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Copies White-State, Yellow-Claimant



Maped, edited, and published by the Geological Survey
Control by USGS and USCA&GS
Topography by photogrammetric methods from aerial
photographs taken 1967. Field checked 1968
Polyconic projection. 1927 North American datum
10,000-foot grids based on Montana coordinate system,
south zone and Idaho coordinate system, east zone
1000-meter Universal Transverse Mercator grid ticks,
zone 12, shown in blue

THIS MAP COMPLIES WITH
FOR SALE BY U. S. GEOLOGICAL SURVEY, DI
A FOLDER DESCRIBING TOPOGRAPHIC

U.S. GRID AND 1968 MAGNETIC NORTH
DECLINATION AT CENTER OF SHEET
0° 50' 15" N
3.11 MILES

SC
1000 0 1000 2000
CONTOUR
DATUM 1

17° 30' 17° 45' 18° 00' 18° 15' 18° 30' 18° 45' 19° 00' 19° 15' 19° 30'

112° 30' 112° 45' 113° 00' 113° 15' 113° 30' 113° 45' 114° 00' 114° 15' 114° 30'

1:250,000 FEET (MONT.) 12' 30"

SPENCER 10 MI.

1 MILE

MONIDA, MONT.-IDAHC
N4430-W11215/7.5

1968

AMS 3573 III SE-SERIES Y894

D. C. 20242

ROAD CLASSIFICATION
Primary highway, all weather, light-duty road, all weather,
hard surface
Secondary highway, all weather, improved surface,
hard surface
Unimproved road, fair or dry
weather
Interstate Route
U. S. Route

1968

AMS 3573 III SE-SERIES Y894

D. C. 20242

MONIDA, MONT.-IDAHC
N4430-W11215/7.5

1968

AMS 3573 III SE-SERIES Y894

D. C. 20242

MONIDA, MONT.-IDAHC
N4430-W11215/7.5

1968

AMS 3573 III SE-SERIES Y894

D. C. 20242

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME US ARS CLAIM IDENT. NO. A31-10947DATE RECEIVED 5-01-90 CK # X111111 AMOUNT \$ — YES — NO — Required Info? —

1. Is the name and address complete with zip code? — — *
2. Is a priority date entered? — *
- Is the priority date acceptable in view of mandatory filing dates? — *
- See Adjudication Memos #1 and #4 to determine if a Permit is required. — *
3. (a) Is a source entered? — Unnamed Stream *
- (b) Is a tributary to entered? (if required) Beaver Creek N/A — *
4. Is the legal description of the p.d. sufficient? — *
5. Is there a description of the diverting works? — *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. — *
- Is the period of use included? — *
- Is a quantity claimed for each use? — *
7. Is a total quantity claimed entered? — *
8. If required is a consumptive use entered? — N/A *
- Is the consumptive use correct? — N/A *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. — N/A *
10. Is (are) the place(s) of use and purpose(s) indicated? — *
11. Is (are) the county(ies) entered? — *
12. Is the ownership of p.u. checked? — *
13. Are other water rights listed or "none" indicated? — *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) — N/A *
15. Is the basis of the claim indicated? — *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) — N/A *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. — *
18. Has the claim been signed, sealed, and dated by a notary? — *
19. Was this claim filed on time, or was an extension granted? — *
20. Is the fee enclosed correct? — Exempt *
21. If this claim is based on an existing water right, has the identification number been entered? — N/A *
22. Should this claim be data entered? — *

Claim checked by: [Signature] Date: 8-27-91Claim must be returned to claimant: — (Yes) — (No)Claimant must be notified of modifications: — (Yes) — (No)

Receipt Prepared by: [Signature]
 Claim data entered by: [Signature]
 Sent to claimant by: [Signature]

Date: —
 Date: 08-28-91
 Date: —

Checked by: [Signature] Date: 2-13-91

Comments: —

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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A31-10947
Date Received: 5/ 1/1990
Receipt No: X111111
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER FEDERAL LAW

COPY FOR
YOUR FILES

1. Name: UNITED STATES OF AMERICA, ACTING THROUGH 208-374-5409
Address: USDA, ARS
HC 62 BOX 2010
USSES
DUBOIS ID 83423

2. Date of Priority: MAY 1, 1891

3. Source: UNNAMED STREAM Trib. to: BEAVER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	36E	27		NE	NW		CLARK

Beginning Point of Minimum Instream Flow							
14N	36E	27		NE	NW		CLARK

Ending Point of Minimum Instream Flow							
14N	36E	28		NW	SE		CLARK

5. Description of diverting works:
STREAM THAT RUNS THROUGH RANCH. STOCK CAN DRINK WITHIN BOUNDARIES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	05/15	11/15	0.280		

7. Total Quantity Appropriated is:
0.280 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
500 - 600 CATTLE OR UP TO 3,000 SHEEP

A31-10947

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Date: 09/13/91

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	36E	27	NW	NE		STOCK	
			NE	NW		STOCK	
			NW	NW		STOCK	
		28	NE	NE		STOCK	
			SE	NE		STOCK	
			NE	SE		STOCK	
			NW	SE		STOCK	

11. Place of use in counties: CLARK

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NUMEROUS SPRINGS AND GROUND WATER

14. Remarks:

15. Basis of Claim: BENEFICIAL USE



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION
FEBRUARY 9, 1993

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

POOR ORIGINAL

RE: EVIDENCE OF PRIORITY

Dear Claimant(s):

The Notice(s) of Claim identified with the number shown above in the "address" label and at the "end" of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. As the claimant, you are responsible for submitting the necessary proof to support the priority date.

It is important that each element of the Notice be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the pamphlet, I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some examples of Documents Which May Be Evidence of the Priority Date".

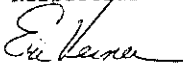
EVIDENCE OF PRIORITY
Page - 2 -

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel.

The Department will not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.

Please submit the required evidence supporting the priority date by MARCH 9, 1993, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,


Eric Verner
Senior Water Agent

EV:jt

Enclosure: Brochure on "Evidence of Priority"
Proof Report

Other Water Right Numbers Needing Evidence of Priority

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APR 15 1994

12/15/2000

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 31-10947

NAME AND ADDRESS: UNITED STATES OF AMERICA, USDA ARS
USDA ARS
HC 62 BOX 2010
USSES
DUBOIS, ID 83423

SOURCE: UNNAMED STREAM TRIBUTARY: BEAVER CREEK

QUANTITY: 0.02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED
13,000 GALLONS PER DAY.

PRIORITY DATE: 05/01/1891

POINT OF DIVERSION: T14N R36E S27 NWNE Beginning of Stream Within CLARK County
Flow
T14N R36E S28 NWSE End of Stream Flow Within CLARK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	05-15 11-15	0.02 CFS

PLACE OF USE:

<u>STOCKWATER Within CLARK County</u>			
T14N R36E S27	NWNE	T14N R36E S27	NENW
T14N R36E S27	NWNW	T14N R36E S28	NENE
T14N R36E S28	SENE	T14N R36E S28	NESE
T14N R36E S28	NWSE		

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

STOCKWATER, 600 CATTLE, 3000 SHEEP
SOURCE IS ALSO KNOWN AS COW CREEK.

RECEIVED
01/25/2001

MAR 02 2001

Department of Water Resources
Eastern Region

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: March 9, 2001

Water right number: 31-10947

UNITED STATES OF AMERICA ACTING THROUGH
USDA ARS
US SHEEP EXPERIMENT STATION
HC 62 BOX 2010

DUBOIS ID 83423
Telephone Number: (208)374-5409

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

X I AGREE with this proposed recommendation: no changes need to be made.

DATE: 02-21-01

SIGNATURE:

Gregory S. Lewis

Please print your name: Gregory S. Lewis

IDWR Regional Office, 900 N Skyline, Idaho Falls, ID 83402, 2085257161